

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9527 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

PATEL BABUBHAI HARGOVINDBHAI

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MR EE SAIYED for Petitioner No. 1
MR DN PATEL Sr. Central Govt. Standing
Counsel for Respondent.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 17/10/2001

ORAL JUDGEMENT

Rule. Mr. D.N. Patel Sr. Central Govt.
Standing Counsel appears on behalf of the respondent and
waives service of rule on behalf of the respondent.

2. This petition has been filed for a direction to the respondent authority to issue passport in the name of the petitioner.

3. The petitioner has moved an application before the respondent authority for this very purpose. But the respondent has informed the petitioner that in some criminal case the non-bailable warrant has been issued against the petitioner and hence passport cannot be issued in the name of the petitioner. The petitioner has filed some document dated 12-10-2001 to show that the aforesaid non-bailable warrant has been withdrawn by the Court concerned on 12-10-2001.

4. Learned counsel for the petitioner requested this Court to direct the respondent authority to decide the petitioner's application for issuance of passport in the name of the petitioner within some reasonable stipulated time.

5. In the facts and circumstances of this case and considering the submissions made by the learned counsel for the parties as well as material on record, this petition is being disposed of with a direction to the respondent to consider and decide the petitioner's application for issuance of the passport in favour of the petitioner in accordance with law and on the basis of the material produced by the petitioner on record as far as possible within a period of two weeks from the date of receipt of writ of this Court or certified copy of this order whichever is earlier. The respondent authority would be at liberty to pass appropriate order with regard to the costs of the proceeding.

6. With the above directions and observations, this petition is disposed of. Rule is made absolute to the aforesaid extent, with no order as to costs. D.S. is permitted.

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/JVSatwara/